

Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Wilfredo FAVELA AVENDAÑO, et al.,

Petitioners-Plaintiffs,

v.

Drew BOSTOCK, Director of the Seattle
Field Office of U.S. Immigration and Customs
Enforcement, et. al.,

Respondents-Defendants.

Case No. 20-cv-700-JLR

**[PROPOSED] ORDER GRANTING
STIPULATED MOTION TO DISMISS
AND GRANTING FINAL APPROVAL
OF PROPOSED CLASS SETTLEMENT**

The Parties have filed a Stipulated Motion to Dismiss and Grant Final Approval of the class action settlement (Dkt. # 656). The Court has carefully considered the Class Settlement Agreement together with all exhibits thereto, all the filings related to the settlement, the arguments of counsel, and the record in this case. The Court also held a fairness hearing on May 30, 2023, following notice to the class as approved by the Court's previous order granting preliminary approval of the Agreement. The Court finds that the Agreement is sufficiently fair, reasonable, and adequate.

IT IS HEREBY ORDERED THAT:

1. This Case is dismissed with prejudice. The Parties shall bear their own attorney's fees and costs, except as provided by the Agreement.

2. The Agreement is hereby incorporated by reference in this Order, and all terms or phrases used in this Order shall have the same meaning as in the Agreement.

3. The Court grants final approval of the Agreement, finding that the terms of the Agreement are fair, reasonable, and adequate as required by Fed. Rule Civ. Proc. 23(e)(2).

4. The Court previously certified the class as "All individuals detained at the Northwest Detention Center who are age 55 years or older or have medical conditions that place them at heightened risk of severe illness or death from COVID-19 as determined by Centers for Disease Control and Prevention guidelines." This is also the class for settlement purposes.

5. As specified in the Agreement, and notwithstanding the dismissal of this case, the Court shall retain jurisdiction over all disputes between and among the Parties arising out of the Agreement, including but not limited to interpretation and enforcement of the terms of the Agreement, except as otherwise provided in the Agreement, for a term of one year after Final Approval because the Presidential national emergency declaration concerning COVID-19 expired on May 11, 2023.

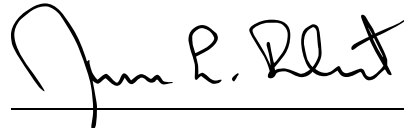
6. Neither the settlement, nor any exhibit, document, or instrument delivered thereunder shall be construed as or deemed to be evidence of an admission or concession by

Defendants or an interpretation of any liability or wrongdoing by Defendants, or of the truth of any allegations asserted by Plaintiffs, Class Members, or any other person.

7. The Parties' Stipulated Motion for Final Approval of Proposed Class Settlement ("Motion") is hereby GRANTED. The Court hereby approves the proposed class-wide relief set forth in the Agreement.

IT IS SO ORDERED.

Dated this 30th day of May, 2023.



Honorable James. L. Robart
United States District Judge

Presented this 17th day of May, 2023.

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